

**COUNTY OF VALENCIA  
STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STEPHEN C. DRAKE,**

**Plaintiff,**

**vs.**

**No. D-1314-CV- 2012-00036**

**STATE OF New Mexico DEPARTMENT  
OF PUBLIC SAFETY (NEW MEXICO STATE POLICE);  
JAMES BUTTERFIELD, individually  
and in his official capacity as Criminal Agent  
for New Mexico State Police, and  
JOHN/JANE DOES 1 through 6.**

**Defendants.**

**OFFER OF SETTLEMENT**

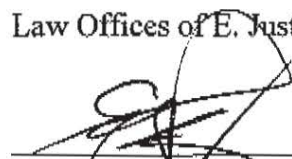
**TO: THE DEFENDANTS, NMDPS  
And JAMES BUTTERFIELD  
c/o Phillip W. Cheves, Esquire  
Butt, Thornton & Baehr, P.C.  
Post Office Box 3170  
Albuquerque, NM 87190-3170**

Plaintiff, Stephen C. Drake, by and through his counsel, Law Offices of E. Justin Pennington, hereby offers, pursuant to Rule 1-068 NMRA, a complete, final and binding settlement encompassing all claims made by Plaintiff against all parties in this cause in the sum of One Hundred and Fifty Thousand Dollars and 00/100 (\$150,000.00) which includes all fees and costs incurred by Plaintiff as of the date of this Offer of Settlement. This Offer of Settlement is made for the purposes specified in Rule1-068. The amount offered and any final Order entered as a result of the acceptance of this offer is to be in total settlement and not to be construed as either an admission that Defendants are liable in this action or that

Plaintiff suffered any damages, and said judgment is to have no effect whatsoever in settlement of this case.

Dated this 7<sup>th</sup> day of January 2014.

Law Offices of E. Justin Pennington

A handwritten signature in black ink, appearing to read 'E. Justin Pennington', is written over a horizontal line.

E. Justin Pennington  
Attorney for Plaintiff, Stephen C. Drake  
2014 Central Avenue SW, Suite H  
Albuquerque, NM 87104  
Telephone: (505) 842-9164